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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,335	09/26/2003	Yong Cheol Park	0465-1033P	5125
2292	7590	09/06/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			WILSON, YOLANDA L	
			ART UNIT	PAPER NUMBER
			2113	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/670,335

Applicant(s)

PARK ET AL.

Examiner

Yolanda L. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 21 and 23-27 is/are allowed.
- 6) ☒ Claim(s) 6, 7, 13-20, 22, 28, 29 and 35-42 is/are rejected.
- 7) ☒ Claim(s) 8-12 and 30-34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/20/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 6,7,13-18,20,22,28,29,35-40,42 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (USPN 6922802B2).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

3. As per claim 6, Kim et al. discloses recording temporary defect management information in the at least one temporary defect management area of the recording medium, the temporary defect management information including disc usage management information indicating a recording use status of the recording medium; and transferring the temporary defect management information from the at least one temporary defect management area to the at least one final defect management area of

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the recording medium in column 6, lines 20-48. The writeable-once optical recording is a type of optical disc, see column 1, lines 21-29.

4. As per claim 7, Kim et al. discloses wherein the at least one recording layer includes a plurality of recording layers each having a final defect management area, and in the transferring step, the disc usage management information for each of the recording layers is separately recorded all in at least one of the final defect management areas of the recording layers in column 6, lines 35-48.

5. As per claim 13, Kim et al. discloses wherein the at least one recording layer includes a plurality of recording layers each having a final defect management area, and the disc usage management information for each of the recording layers is separately and correspondingly recorded in the final defect management area of the corresponding recording layer in column 6, lines 35-48.

6. As per claim 14, Kim et al. discloses wherein the recording medium includes a recording area on the at least one recording layer, the recording area divided into a plurality of tracks, and the disc usage management information represents track position information identifying an end point of a last recorded track on the recording medium in column 6, lines 37-48.

7. As per claim 15, Kim et al. discloses wherein the disc usage management information represent a space bit map in column 6, lines 35-48.

8. As per claim 16, Kim et al. discloses wherein the transferring step is performed when the recording medium is to be finalized in column 6, lines 35-48.

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9. As per claim 17, Kim et al. discloses wherein the recording medium is to be finalized if a data recording operation in a user data area of the recording medium is completed, if the at least one temporary defect management area is full, or if a finalize command is received in column 6, lines 35-48.

10. As per claim 18, Kim et al. discloses wherein in the transferring step, the transferred temporary defect management information further includes temporary defect list information and temporary disc definition structure information, and is latest temporary defect management information written on the recording medium in column 6, lines 35-48.

11. As per claim 20, Kim et al. discloses wherein in the transferring step, the temporary defect management information transferred is the latest temporary defect management information stored in the at least one temporary defect management area in column 6, lines 35-48.

12. As per claim 22, Kim et al. discloses means for recording temporary defect management information in the at least one temporary defect management area of the recording medium, the temporary defect management information including disc usage management information indicating a recording use status of the recording medium; and means for transferring the temporary defect management information from the at least one temporary defect management area to the at least one final defect management area of the recording medium in column 6, lines 20-48. The writeable-once optical recording is a type of optical disc, see column 1, lines 21-29.

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13. As per claim 28, Kim et al. discloses at least one recording layer including at least one temporary defect management area and at least one final defect management area, wherein temporary defect management information is recorded in the at least one temporary defect management area of the recording medium, the temporary defect management information including disc usage management information indicating a recording use status of the recording medium, and wherein the temporary defect management information is transferred from the at least one temporary defect management area to the at least one final defect management area of the recording medium in column 6, lines 20-48. The writeable-once optical recording is a type of optical disc, see column 1, lines 21-29.

14. As per claim 29, Kim et al. discloses wherein the at least one recording layer includes a plurality of recording layers each having a final defect management area, and the disc usage management information for each of the recording layers is separately recorded all in at least one of the final defect management areas of the recording layers in column 6, lines 35-48.

15. As per claim 35, Kim et al. discloses wherein the at least one recording layer includes a plurality of recording layers each having a final defect management area, and the disc usage management information for each of the recording layers is separately and correspondingly recorded in the final defect management area of the corresponding recording layer in column 6, lines 35-48.

16. As per claim 36, Kim et al. discloses wherein the recording medium includes a recording area on the at least one recording layer, the recording area divided into a

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plurality of tracks, and the disc usage management information represents track position information identifying an end point of a last recorded track on the recording medium in column 6, lines 35-48.

17. As per claim 37, Kim et al. discloses wherein the disc usage management information represent a space bit map in column 6, lines 35-48.

18. As per claim 38, Kim et al. discloses wherein the temporary defect management information is transferred from the at least one temporary defect management area to the at least one final defect management area when the recording medium is to be finalized in column 6, lines 35-48.

19. As per claim 39, Kim et al. discloses wherein the recording medium is to be finalized if a data recording operation in a user data area of the recording medium is completed, if the at least one temporary defect management area is full, or if a finalize command is received in column 6, lines 35-48.

20. As per claim 40, Kim et al. discloses wherein the transferred temporary defect management information includes temporary defect list information and temporary disc definition structure information, and is latest temporary defect management information written on the recording medium in column 6, lines 35-48.

21. As per claim 42, Kim et al. discloses wherein the temporary defect management information transferred is the latest temporary defect management information stored in the at least one temporary defect management area in column 6, lines 35-48.

***Claim Rejections - 35 USC § 103***

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 19,41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. in view of Whatis.com. Kim et al. fails to explicitly state the recording medium is a writable-once Blu-ray disc (BD-WO).

Whatsis.com discloses this limitation on page 1.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the recording medium be a writable-once Blu-ray disc (BD-WO). A person of ordinary skill in the art would have been motivated to have the recording medium be a writable-once Blu-ray disc (BD-WO) because the Blu-ray disc stores data thereon for future use.

***Allowable Subject Matter***

24. Claims 1-5,21,23-27 are allowed.

25. The following is a statement of reasons for the indication of allowable subject matter: Claims 1-5 are allowed for including the following limitations: "providing at least one temporary defect management area in at least one of the user area and the non-user area, the at least one temporary defect management area allocated to store therein temporary defect management information including disc usage management information, the disc usage management information indicating a recording or non-



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recording status of the user area of the recording medium; and providing at least one final defect management area in the non-user area.”

Claim 21 is allowed for including the following limitations: “means for providing at least one temporary defect management area in at least one of the user area and the non-user area, the at least one temporary defect management area allocated to store therein temporary defect management information including disc usage management information, the disc usage management information indicating a recording or non-recording status of the user area of the recording medium; and means for providing at least one final defect management area in the non-user area.”


Claims 23-27 are allowed for including the following limitations: “at least one temporary defect management area provided in at least one of the user area and the non-user area of the recording medium, so as to store therein temporary defect management information including disc usage management information, the disc usage management information indicating a recording or non-recording status of the user area of the recording medium; and at least one final defect management area provided in the non-user area.”

26. Claims 8-12,30-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda L. Wilson whose telephone number is (571) 272-3653. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Yolanda L. Wilson  
Examiner  
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